

**Iowa Department of Natural Resources  
Natural Resource Commission**

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**ITEM**

**10**

**UPDATED**

**DECISION**

**TOPIC**

**Final Rule – Chapter 94 - Nonresident Deer Hunting**

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The Commission is requested to adopt a final rule to amend Chapter 94, Nonresident Deer Hunting. These amendments set antlerless quotas for nonresident licenses, clarifies the method of take during the Holiday season, the dates of the season for disabled nonresidents and requires successful hunters to report their kill.

Presenter                      Ken Herring  
Presenter Title              Administrator  
Presenter Division          Conservation and Recreation

Attachment? Yes

February 5, 2007

## NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 94, "Nonresident Deer Hunting," Iowa Administrative Code.

Chapter 94 gives the regulations for hunting deer and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of taking, and transportation tag requirements. These amendments set quotas for nonresident antlerless licenses and requires successful hunters to report their kill.

Notice of Intended Action was published in the Iowa Administrative Bulletin on December 6, 2006, as ARC 5604B. The only comment received requested a clarification of method of take for the Holiday season. A public hearing was held on January 11, 2007 and no one attended. The only changes from the Notice of Intended Action are to clarify language in 94.7(3) to indicate method of take during the Holiday season and to make the season dates for the nonresident disabled hunters consistent with the resident youth season. These amendments are intended to implement Iowa Code sections 481A.38, 481A.39 and 481A.48.

These amendments shall become effective April 5, 2006.

The following amendments are adopted.

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ITEM 1. Amend rule 571--94.1(483A) as follows:

**571--94.1(483A) Licenses.** Every hunter must have in possession a valid nonresident deer license, a valid nonresident hunting license, and proof that the hunter has paid the current year's wildlife habitat fee when hunting, possessing, or transporting deer. No person, while hunting deer, shall carry or have in possession any license or transportation tag issued to another person. No one who is issued a deer hunting license and transportation tag shall allow another person to use or possess that license or transportation tag while deer hunting or tagging a deer.

ITEM 2. Amend paragraph 94.1(1)"c" as follows:

c. Optional antlerless-only licenses. A hunter who is not successful in drawing an any-deer license may purchase an antlerless-only license as described in rule 571--94.8(483A). This antlerless-only license shall be valid in the ~~zone~~ county and season designated by the hunter at the time it is purchased.

ITEM 3. Amend subrules 94.6(1) and 94.6(2) as follows:

**94.6(1) Zone license quotas.** Nonresident license quotas are as follows:

	Any-deer licenses		Mandatory	Optional
	All Methods	Bow	Antlerless-only	Antlerless-only
Zone 1.	180	63	180	
Zone 2.	180	63	180	
Zone 3.	560	196	560	
Zone 4.	1280	448	1280	
Zone 5.	1600	560	1600	
Zone 6.	800	280	800	
Zone 7.	360	126	360	

Zone 8.	240	84	240	
Zone 9.	600	210	600	
Zone 10.	200	70	200	
Total	6000	2100	6000	3500 statewide

**94.6(2)** Quota applicability. The license quota issued for each zone will be the quota for all bow, regular gun and muzzleloader season licenses combined. No more than 6,000 any-deer licenses and 6,000 mandatory antlerless-only licenses will be issued for all methods of take combined, for the entire state. Of the 6,000 any-deer and 6,000 mandatory antlerless-only licenses, no more than 35 percent in any zone can be bow licenses. A maximum of 3,500 optional antlerless-only licenses, ~~regardless of season or zone~~, will be issued ~~for the entire state on a county by county basis. The licenses will be divided up between the counties in the same proportion as resident antlerless-only licenses.~~ Hunters must designate a zone or county and season when purchasing the license and hunt only in that zone or county and season.

ITEM 4. Amend subrules 94.7(3) as follows:

**94.7(3)** Muzzleloader and holiday seasons . During the muzzleloader and holiday season, deer may be taken with a muzzleloader, handgun, or bow as described in 94.7(1). Muzzleloading rifles are defined as flintlock or percussion cap lock muzzleloaded rifles and muskets of not less than .44 and not larger than .775 caliber, shooting single projectiles only. Centerfire handguns must be .357 caliber or larger shooting straight-walled cartridges propelling an expanding-type bullet (no full-metal jacket) and complying with all other requirements provided in Iowa Code section 481A.48 . Legal handgun calibers are listed on the department of natural resources list of "Acceptable Handgun Calibers for Hunting Deer in Iowa." Revolvers, pistols and black powder handguns must have a 4-inch minimum barrel length. There can be no shoulder stock or long-barrel modifications to handguns. Muzzleloading handguns must be .44 caliber or larger, shooting single projectiles only

ITEM 5. Amend subrule 94.8(2) as follows:

**94.8(2)** Optional antlerless-only licenses. Optional antlerless-only licenses must be purchased through the ELSI telephone ordering system or the ELSI Internet license sales Web site. Licenses for taking only antlerless deer will be available on the same date as excess any-deer licenses are sold as explained in 94.8(1). Optional antlerless-only licenses will be sold first-come, first-served until the ~~statewide~~ county quota is filled, or until the last day of the season for which a license is valid. If optional antlerless-only licenses are still available on December 15, they may be purchased by nonresidents to hunt during the period from December 24 through January 2. These licenses will be available to nonresidents who have not purchased a nonresident deer license during one of the current deer seasons. The hunter must have in possession a valid nonresident small game hunting license and proof of having paid the current year's wildlife habitat fee. Optional antlerless-only licenses will be issued by season and ~~zone~~ county and will be valid only in the season and ~~zone~~ county designated by the hunter at the time the license is purchased.

ITEM 6. Amend subrules 94.10(2) as follows:

**94.10(2)** Season dates. Any deer or antlerless deer may be taken in the hunting zone indicated on the deer license during 16 consecutive days beginning the third Saturday in September ~~from the third Saturday in September through the first Sunday in October~~ .

ITEM 7. Adopt new rule 571--94.11(481A) as follows:

**571--94.11(481A) Harvest reporting.** Each hunter who bags a deer must report that kill according to procedures described in 571—95.1(481A).

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Date

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Richard A. Leopold, Director

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